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**From:** Minter, Douglas [Minter.Douglas@epa.gov]  
**Sent:** 8/28/2020 10:06:27 PM  
**To:** O'Connor, Darcy [oconnor.darcy@epa.gov]  
**CC:** Bahrman, Sarah [Bahrman.Sarah@epa.gov]; Robinson, Valois [Robinson.Valois@epa.gov]  
**Subject:** RE: South Dakota DENR and Agriculture Dept

Hi Darcy: I spoke with Mike Lees this afternoon who manages DENR's minerals and mining programs including UIC Class II primacy.

On DB, I updated him generally on our timing of final permit issuance. He told me that there had been no decision to move forward with their large scale mining or other related permits. In fact, he understands that it might make sense for the DENR to wait until our permits are appealed/challenged before the State decides when/how to move forward. In this regard, he said he wouldn't be surprised if they start their whole permitting process over since it was 2013 when they suspended their public process. He said he would be updating his management based on our phone call.

I also mentioned our experience with having to do UIC rulemaking for standing up the ND DEQ. We both agreed that merging these two SD agencies is less clear cut than the ND example. He said he will bring the question of whether this merger constitutes a "substantial" revision of their 1425 program to his management's attention.

Thanks and have a great weekend,

Douglas

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**From:** O'Connor, Darcy <oconnor.darcy@epa.gov>  
**Sent:** Wednesday, August 26, 2020 3:23 PM  
**To:** R8 WD LT <R8\_WD\_LT@epa.gov>  
**Subject:** FW: South Dakota DENR and Agriculture Dept

Wow. I'm having a visceral reaction thinking about the work that you all put into the ND name change. We'll undoubtedly learn more about this, and the time frame in the state director's meeting in a couple of weeks.

Thanks  
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**From:** Sopkin, Gregory <sopkin.gregory@epa.gov>  
**Sent:** Wednesday, August 26, 2020 3:07 PM  
**To:** R8 SLT <R8\_SLT@epa.gov>; Perrin, Rebecca <Perrin.Rebecca@epa.gov>  
**Cc:** Sethuraman, Jag <Sethuraman.Jag@epa.gov>; Davis, Patrick <davis.patrick@epa.gov>; Wood, MelanieL <Wood.MelanieL@epa.gov>  
**Subject:** South Dakota DENR and Agriculture Dept

All:

Hunter Roberts called today and said the State of SD has decided to consolidate the DENR with the SD Department of Agriculture. Hunter will be in charge of the new organization.

Also, Hunter indicated he will be accompanied by Jean Goodman (Director of Environmental Services) at the State Director's meeting at our office Sept, 9-10.

Please let me know if you have any questions - thank you.

Greg Sopkin  
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